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#6

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United States Department of Commerce  
Patent and Trademark Office  
Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

**USA**

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**RECEIVED**

31 MAY 2002

Legal Staff  
International Division

**PCT/DE 00/02723 - Notification of missing requirements under 35 U.S.C. 371**

Dir Sir or Madam

In your letter from 09 October 2001 you ask me to transfer the amount of \$ 200 to your account US Treasury Department New York (see document 1) and to send you the declaration of the inventors (see document 2).

To complete document 2 I want to ask for an extension of the deadline, because the status of the 4 inventors listed in the German application DE 199 37 910 A1 is not clear. Document 3 from 24.04.2001 shows the statement of claim.

The main arguments in that document are:

- the knowledge of the company INAP GmbH and the other 4 inventors is known and public (US-Patent 525440)
- that I have made my invention by using abilities which I have already got in my promotion work
- that in that time they could not solve their problem by their own, therefore they give me a job. I had to work on that topic by my own.
- that I offered to my chief 25% of the invention, because he gives me the task. My chief renounce to the registration as an inventor.
- that what the inventors have done could not be part of the patent claims, because it is technical standard.

Document 4 from 07.06.2001 contains the answer of the inventors.

Their main arguments are:

- that the time of twelve weeks is too short to make an invention
- that Mr. Dr. Jestel works in that company since 1994
- that Mr. Dr. Uhlendorf works in that company since 1995
- that Mr. Dipl. -Ing. Kückelhaus works in that company since 1995
- that Mr. Dipl. Phys. Klockhaus works in that company since 1995

Document 5 from 03.07.2001 contains my respond to their answer.

My main argument is:

- that I use my knowledge from my promotion work, therefore I have been able to make an invention in such a short time.
- to work a long time in a company makes no inventor.

The document 6 from regional superior court, dated 22.June 2001 contains the order of court with the following content:

- that I have the right to clear that question by the justice, but because I have not added a detailed description how I have make my invention they do not accept the statement of claim.

The document 7 from 24.09.2001 contains the intermediate appeal against the order of court.

- I have added a detailed description about how I have make the invention

The document 8 contains the original confirmation from the Higher Regional Court of appeal from 14.11.2001 to deal with that matter.

The document 9 from 17.10.2001 contains a letter from the inventors that they will accept, to transfer their right if I pay the amount of 6000 DM to them.

On the other site, I want to ask the patent office, if I must accept the inventors of the German patent application. In that time, the INAP GmbH Company had listed the other inventors in their own German patent application without my agreement.

Is it possible to use only the inner priority of the German patent application?

The PCT application is a new application with changed text and claims. The claims have been reduce from 24 to 10 and completed by a new claim.

Please send any correspondence to my new address in Greece:

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In advance thank you for your efforts.

Yours faithfully

attached Documents: 9



Dr. George Mermigidis